

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAY 3 1 2005 ★

BMG MUSIC, a New York general partnership;
WARNER BROS. RECORDS INC., a Delaware
corporation; ARISTA RECORDS LLC, a
Delaware limited liability company; UMG
RECORDINGS, INC., a Delaware corporation;
and SONY BMG MUSIC ENTERTAINMENT, a
Delaware general partnership,

Plaintiffs,

-against-

ERODIPA RODRIGUEZ,

Defendant.

x

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x

P.M. _____
TIME A.M. _____

Civil Action No.: 05 CV 472 DGT

Filed Electronically

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Seven Hundred and Fifty Dollars (\$6,750.00).

2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Two Hundred and Seventy Five Dollars (\$275.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Crawling," on album "Hybrid Theory," by artist "Linkin Park" (SR# 288-402);
- "Just a Baby Boy," on album "2000 Watts," by artist "Tyrese" (SR# 293-345);
- "There She Goes," on album "Face2Face," by artist "Babyface" (SR# 305-629);
- "My First Love," on album "My Thoughts," by artist "Avant" (SR# 281-220);
- "My Way," on album "My Way," by artist "Usher" (SR# 257-730);
- "Sweet Lady," on album "Tyrese," by artist "Tyrese" (SR# 237-788);
- "The Message," on album "It Was Written," by artist "Nas" (SR# 220-016);
- "Ether," on album "Stillmatic," by artist "Nas" (SR# 305-698);
- "Roll Out," on album "Word of Mouf," by artist "Ludacris" (SR# 304-605);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has

downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: 5/27/05

By: s/David G. Trager
Hon. David G. Trager
United States District Judge



UNITED STATES DISTRICT COURT / EASTERN DISTRICT OF NEW YORK

No. CV 05 472

BMG MUSIC, ET AL,

Plaintiffs,

-against-

ERODIPA RODRIGUEZ,

Defendant.

State Of New York, County of New York SS:

BOGUSLAVA DIMITROVA

Being duly sworn, deposes and says that she is over the age of 18 years, is not a party to this action and resides in New York.

That on the 12TH day of **FEBRUARY 2005**, At: **4:04 PM**

At: **10 MAHLAND PLACE, APT. 4, OCENSIDE, NEW YORK 11572**

Deponent served the Annexed: **NOTICE TO DEFENDANT, SUMMONS, COMPLAINT, CIVIL COVER SHEET, INDIVIDUAL PRACTICES OF THE DISTRICT JUDGE, INDIVIDUAL PRACTICES OF THE MAGISTRATE JUDGE, ELECTRONIC CASE FILING INSTRUCTIONS, PROCEDURES AND GUIDELINES**

Upon: **ERODIPA RODRIGUEZ**

PERSONAL SERVICE ON AN INDIVIDUAL

An individual, by delivering thereat a true copy to **ERODIPA RODRIGUEZ** personally; deponent asked the person spoken to if he was the named defendant, and he replied in the affirmative. Upon this information and belief, deponent knew that the person spoken to was the named defendant **ERODIPA RODRIGUEZ**

DESCRIPTION - Deponent describes the individual served or spoken to as follows:

Sex: **FEMALE** Color: **WHITE** Hair: **BLACK** App. Age: **25** App. Ht: **5'5"** App. Wt. **135**
Other identifying features:

Sworn to before me this

15TH day of FEBRUARY, 2005

JOLANTYNA CAGNEY

NOTARY PUBLIC, State of New York

No. 01CA6111489

Qualified in New York County

Commission Expires June 14, 2008

COST OF SVC \$125.00

Jolantyna Cagney

Boguslava Dimitrova
BOGUSLAVA DIMITROVA